

## REMARKS

This is intended as a full and complete response to the Office Action dated August 4, 2010, having a shortened statutory period for response set to expire on November 4, 2010. Please reconsider the claims pending in the application for reasons discussed herein.

Claims 4-17 and 36-38 are rejected by the Examiner.

Claims 39-52 remain pending in the application after entry of this response. Claims 4-17 and 36-38 have been canceled without prejudice. New claims 39-52 have been added. No new matter has been added by the new claims.

### Claim Rejections Under 35 U.S.C. § 112

Claim 38 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 38 has been canceled. Withdrawal of the rejection is respectfully requested.

### Claim Rejections Under 35 U.S.C. § 102

Claims 4-17 and 36-38 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,844,397 to *Konecny*. Claim 4-17 and 36-38 have been canceled. Withdrawal of the rejection is respectfully requested.

Regarding new claim 39 and its dependents, *Konecny* does not teach, suggest, or disclose a drive means which is "operable to produce **overmodulation** in which the modulated waveforms incorporate regions in which the voltage is **non-linearly modulated** such that each modulated waveform has extended periods at the upper voltage level and at the lower voltage level", as recited in new claim 39 (emphasis added).

Referring to the published version of the application (US 2006/0175064), paragraphs [0146] and [0147] make it clear that a PWM output waveform becomes distorted for non-linear modulation. Thus, the PWM modulation scheme used to

produce the sinusoidal equivalent signal 404 as described at column 3, lines 1 to 14 and shown in Figure 4 of *Konecny* is an example of **linear** PWM modulation because the sinusoidal equivalent output signal 404 is **not** distorted.

*Konecny* also discloses the control of motor speed by varying the frequency of triangular and sinusoidal waves and generating balanced PWM signals based on a comparison of the triangular and sinusoidal waves (see, for example, column 3, line 43 to column 4, line 8 and column 8, line 20 to column 9, line 10). The balanced Pulse Width Modulation (PWM) signals are provided from a controller 612 to an inverter 608 which uses **linear** PWM modulation for the control of motor speed.

*Konecny* also does not teach, suggest, or disclose a "speed control means for controlling the speed of the motor **by varying said voltage supplied by the supply means to the inverter means**", as recited in new claim 39 (emphasis added).

Column 4, lines 65 to 67 of *Konecny* state that "The rectifier 604 provides a D.C. voltage of about 537 or 680 volts, depending upon whether the voltage of the power supply 602 is 380 or 480 A.C. volts, respectively". Thus, *Konecny* teaches the use of either one of two fixed D.C. voltages derived from a fixed A.C. power supply.

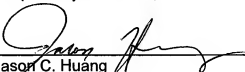
This is particularly evident from *Konecny* because the controller 612 of *Konecny*, which controls the speed of the motor 600, is not described as being in communication with the power supply 602 at all. For example, there is no link or connection shown between the controller 612 and the power supply 602 in Figure 6 of *Konecny*.

Therefore, new claim 39 and its dependents are not anticipated by *Konecny*.

Conclusion

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the claims be allowed.

Respectfully submitted,



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